CF 1002 (1)

SINGLE BENCH (4)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION. (S) NO. 4673 OF 2006

PETITIONER :- Raghavendra Singh Kshatriya S/o. Shri Ram Kumar Kshatriya, aged about 43 years, Occupation – Service, Posted as Junior Assistant, Branch Manager, Chhattisgarh State Ware Housing Corporation Branch Office Charama, Distt.- North Baster Kanker (C.G.)

P.R. No. 4212/06
Presented by Shri Nitesh Nandi
dated 25/8/06

VERSUS

RESPONDENTS

1. Chhattisgarh State Ware Housing Corporation, through its Managing Director, 22- Anand Nagar Raipur Distt.- Raipur (C.G.)

2. Chhattisgarh State Ware Housing Corporation, through its Deputy Managing Director, 22- Anand Nagar , Raipur, Distt.- Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4673/ **सन् 2006**

(26)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

31-8-2006

Mr. Sunil Sahu, counsel for the petitioner.

Heard on admission.

By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged his suspension order dated 5-4-2006 (Annexure P-1) passed by respondent No.1, whereby he has been placed under suspension as he was caught red handed accepting a bribe of Rs.20,000/- while working as Junior Assistant Branch Manager of the Chhattisgarh State Ware Housing Corporation at Charama.

Main grievance of the petitioner is that after passing this order, 45 days have elapsed and no charge sheet has been served upon the petitioner.

The petition is misconceived. Rule 9 of the Chhattisgarh Civil Services (Classification, Control & Appeal) Rules, 1966 provides for suspension of an employee and Rule 9 (1) (b) envisages that where a case against him in respect of any criminal offence is under investigation, inquiry or trial, the employee can be suspended. As the petitioner was caught red handed while accepting a bribe of Rs.20,000/-, therefore, a case under the Prevention of Corruption Act has been registered and the matter is under investigation. Therefore, the impugned order does not suffer from any illegality or infirmity. In criminal charge as per the provisions of Rule 9 (1) (b) of the Rules, 1966 any employee can be placed under suspension and no time limit is given regarding filing of charge sheet for investigation of the matter.

The writ petition is therefore, liable to be dismissed and it is hereby dismissed, in limine. No order as to costs.

Consequently, M.(W.)P.No.3607/2006 stands disposed of.

Sd/-
L.C. Bhadoo
Judge

Soma 4.9.06